

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 15, 2013

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JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 15, 2013

The Senate met in regular session at 1:11 p.m., President Jochum presiding.

Prayer was offered by Pastor Tom Buresh of Zalmona and Rossville Presbyterian Churches in Waukon, Iowa. He was the guest of Senator Breitbach.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Grant Smith.

The Journal of Thursday, April 11, 2013, was approved.

The Senate stood at ease at 1:31 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:54 p.m., President Pro Tempore Sodders presiding.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 445](#).

[Senate File 445](#)

On motion of Senator Dotzler, [Senate File 445](#), a bill for an act relating to the transfer of real estate and the filing of a mortgage release certificate, providing for a fee and making remedies applicable, and including effective date provisions, was taken up for consideration.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 445](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 442](#).

[Senate File 442](#)

On motion of Senator Hogg, [Senate File 442](#), a bill for an act relating to appropriations to the judicial branch, was taken up for consideration.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 442](#)), the vote was:

Yeas, 26:

Beall	Dearden	Horn	Schoenjahn
Black	Dotzler	Jochum	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor
Brase	Hart	Petersen	Wilhelm
Courtney	Hatch	Quirnbach	
Danielson	Hogg	Ragan	

Nays, 24:

Anderson	Chelgren	Houser	Sinclair
Behn	Dix	Johnson	Smith
Bertrand	Ernst	Kapucian	Sorenson
Boettger	Feenstra	Rozenboom	Whitver
Breitbach	Greiner	Schneider	Zaun
Chapman	Guth	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

[Senate File 358](#)

Senator Hogg called up for consideration [Senate File 358](#), a bill for an act concerning title to real estate, amended by the House in House amendment [S-3142](#), filed April 10, 2013.

Senator Hogg moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Hogg moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 358](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 438](#).

[Senate File 438](#)

On motion of Senator McCoy, [Senate File 438](#), a bill for an act relating to real estate broker and real estate salesperson licensing fees and allocations from those fees, and making an appropriation, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 438](#)), the vote was:

Yeas, 50:

Anderson	Danielson	Horn	Segebart
Beall	Dearden	Houser	Seng
Behn	Dix	Jochum	Sinclair
Bertrand	Dotzler	Johnson	Smith
Black	Dvorsky	Kapucian	Sodders
Boettger	Ernst	Mathis	Sorenson
Bolkcom	Feenstra	McCoy	Taylor
Bowman	Greiner	Petersen	Whitver
Brase	Gronstal	Quirnbach	Wilhelm
Breitbach	Guth	Ragan	Zaun
Chapman	Hart	Rozenboom	Zumbach
Chelgren	Hatch	Schneider	
Courtney	Hogg	Schoenjahn	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

President Jochum took the chair at 3:24 p.m.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 295](#).

[Senate File 295](#)

On motion of Senator McCoy, [Senate File 295](#), a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Feenstra offered amendment [S-3153](#), filed by him from the floor, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator McCoy raised the point of order that amendment [S-3153](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3153](#) out of order.

Senator Chelgren offered amendment [S-3152](#), filed by Senator Chelgren, et al., from the floor to pages 8 and 9 and amending the title page of the bill.

Senator McCoy raised the point of order that amendment [S-3152](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3152](#) out of order.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 295](#)), the vote was:

Yeas, 29:

Beall	Dearden	Houser	Seng
Bertrand	Dotzler	Jochum	Sodders
Black	Dvorsky	Mathis	Taylor
Bolkcom	Gronstal	McCoy	Wilhelm
Bowman	Hart	Petersen	Zaun
Brase	Hatch	Quirnbach	
Courtney	Hogg	Ragan	
Danielson	Horn	Schoenjahn	

Nays, 21:

Anderson	Dix	Kapucian	Sorenson
Behn	Ernst	Rozenboom	Whitver
Boettger	Feenstra	Schneider	Zumbach
Breitbach	Greiner	Segebart	
Chapman	Guth	Sinclair	
Chelgren	Johnson	Smith	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 295, 358, 438, 442, and 445** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:23 p.m. until 9:00 a.m., Tuesday, April 16, 2013.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

First Presbyterian Church, Green – For celebrating their 150th anniversary. Senator Ragan.

INTRODUCTION OF BILLS

[Senate File 446](#), by committee on Appropriations, a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

Read first time under Rule 28 and **placed on Appropriations calendar**.

[Senate File 447](#), by committee on Appropriations, a bill for an act relating to appropriations to the justice system and including effective dates.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENT

[House File 604](#)

APPROPRIATIONS: Schoenjahn, Chair; Dvorsky and Smith

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 446 \(SSB 1251\)](#), a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, providing penalties, and including effective, retroactive, and applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 446](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 447 \(SSB 1249\)](#), a bill for an act relating to appropriations to the justice system and including effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 447](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 603](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3148](#).

Final Vote: Ayes, 12: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Guth, Kapucian, Rozenboom, Segebart, and Smith. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 604](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3155](#).

Final Vote: Ayes, 13: Dvorsky, Danielson, Black, Bolkcom, Courtney, Dotzler, Hatch, Hogg, Mathis, McCoy, Petersen, Ragan, and Schoenjahn. Nays, 7: Whitver, Boettger, Ernst, Guth, Rozenboom, Segebart, and Smith. Absent, 1: Kapucian.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 614](#), a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated and including effective date and retroactive applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3147](#).

Final Vote: Ayes, 19: Dvorsky, Danielson, Whitver, Black, Boettger, Bolkcom, Courtney, Dotzler, Guth, Hatch, Hogg, Kapucian, Mathis, McCoy, Ragan, Rozenboom, Schoenjahn, Segebart, and Smith. Nays, none. Absent, 2: Ernst and Petersen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3147	H.F. 614	Appropriations
S-3148	H.F. 603	Appropriations
S-3149	H.F. 495	Steven J. Soddors
S-3150	S.F. 440	Jack Hatch
S-3151	S.F. 439	Jerry Behn
S-3152	S.F. 295	Mark Chelgren
		Jack Whitver
		Kent Sorenson
		Rick Bertrand
S-3153	S.F. 295	Randy Feenstra
S-3154	S.F. 440	Jack Whitver
S-3155	H.F. 604	Appropriations
S-3156	S.F. 440	Jack Hatch